

Applicant : Shashidhar Sathyanarayana  
Appl. No. : 10/072,355  
Examiner : Christopher L. Lavin  
Docket No. : 701470.23

### **Remarks**

Claims 1-23 are currently pending in this patent application, of which, claims 1, 9 and 15 are independent. No claims have been amended.

### **Rejections under 35 USC § 102**

The examiner rejected Claims 1-23 under 35 U.S.c. 102(b) as being anticipated by Scampini (U.S. Patent No. 5,989,191). The applicant respectfully disagrees. "[A] claim is anticipated if each and every limitation is found either expressly or inherently in a single prior art reference." *Celeritas Techs., Ltd. v. Rockwell Int'l. Corp.*, 150 F.3d 1354, 1361, 47 U.S.P.Q.2d 1516, 1522 (Fed. Cir. 1998). The standard for lack of novelty, that is, for "anticipation," is one of strict identity. *Trintec Indus., Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 1296, 63 U.S.P.Q.2d 1597, 1600 (Fed. Cir. 2002). In the present Office Action, the Examiner's rejection is based on the Scampini reference, which fails to show all of the elements of the claimed invention.

Each of the independent claims, i.e., claims 1, 9, and 15, generally include "comput[ing] an average frequency of the texture for each image vector [generated by an imaging device]." The "texture" is a visual characteristic of the image vector that may appear as speckles and can be quantifiably analyzed to determine whether non-uniform rotational distortion ("NURD") exists. If it does, the texture will compress or expand, thus indicating nonuniformity in the generated image. The computation of an average frequency of the texture will determine whether compression or expansion exists. This is neither taught nor suggested in Scampini. Although Scampini also teaches an approach to reducing NURD, Scampini's approach involves analyzing the oscillation frequency shift between the signal emitted from the transducer and the signal reflected from an imaging catheter tip to determine the rotational velocity of the transducer. See Col. 6, lines 30-46. In other words, Scampini discloses analyzing the signals from the transducer but does not disclose, suggest, or teach analyzing the texture of the generated image.

Accordingly, the applicant respectfully submit that independent claims 1, 9, and 15, and the respective dependent claims, are patentable over the cited references.

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Conclusion

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

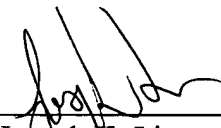
The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: March 25, 2005

By: \_\_\_\_\_

  
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